



KENTUCKY CORRECTIONAL PSYCHIATRIC CENTER

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COMMONWEALTH OF KENTUCKY
Cabinet for Human Resources
Department for Mental Health and
Mental Retardation Services

October 11, 1989

Hon. George Russell Sornberger
Department of Public Advocacy
P. O. Box 672
Somerset, Kentucky 42501

Re: Comm. of Ky. vs. Frank Simpson, Jr.
No. 89-CR-012, 89-CR-013

Dear Mr. Sornberger:

This facility is charged with providing pre-trial evaluation services to the district and circuit courts of the Commonwealth of Kentucky. It has been a long standing policy of the Secretary for Human Resources to decline requests to serve as experts in the preparation of criminal cases either for the defense or prosecution. We regard the protection of our objective stance as necessary to maintain our credibility and integrity when serving as a resource to the courts in competency determination and to prevent circumstances in which our professional staff may be pitted against each other as adversaries.

The report provided by our evaluator, Frank DeLand, M.D./psychiatrist, has objectively reported on the defendant's competency to stand trial and in addition has responded to those areas which you expressed particular interest in in your informal communications with Dr. DeLand. The additional concerns and questions which you raised in your recent communication come after the fact and appear to be an indication to utilize Dr. DeLand's services as an expert witness and to help develop mitigating circumstances for your defense. We, therefore, must decline to provide these additional services based on the policy established by our Cabinet Secretary.

Very truly,

George D. Hancock
Facility Director